# **EXHIBIT 7**

	Page 1
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	UNITED STATES DISTRICT COURT
	FOR THE SOUTHERN DISTRICT OF NEW YORK
3	
	NIKE, INC., :
4	Plaintiff, : Case No. 22-cv-983
	:
5	<b>v</b> . :
	STOCKX LLC, :
6	Defendant. :
	:
7	
8	VIDEOTAPE DEPOSITION OF:
9	BARBARA DELLI CARPINI
10	NEW YORK, NEW YORK
11	TUESDAY, JANUARY 10, 2023
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24	REPORTED BY:
	SILVIA P. WAGE, CCR, CRR, RPR
25	JOB NO. 5593380

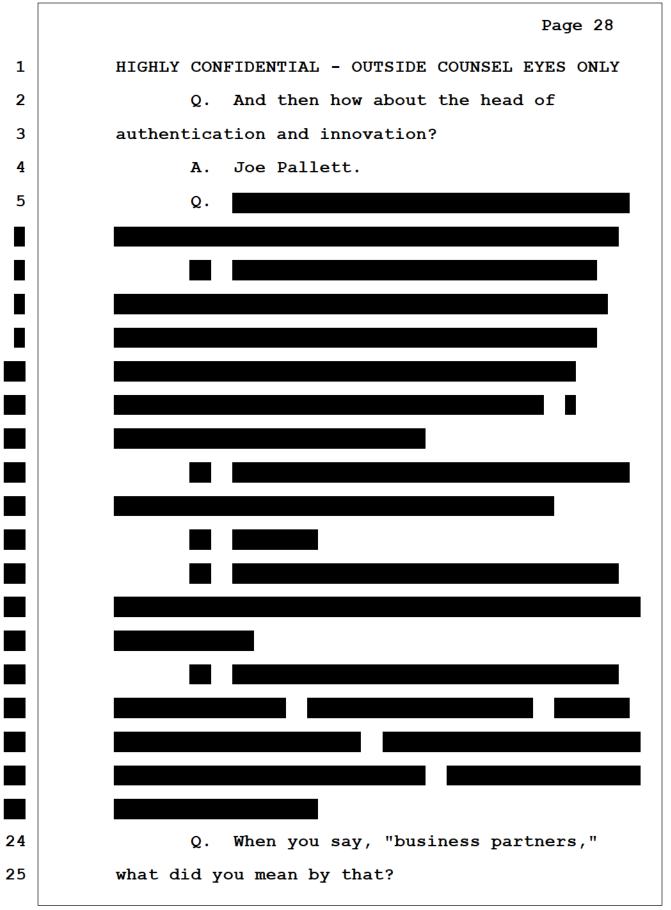
	Page 2
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
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3	
	January 10, 2023
4	9:41 a.m.
5	Videotape deposition of BARBARA DELLI
6	CARPINI, held at the offices of DEBEVOISE &
7	PLIMPTON LLP, 919 Third Avenue, New York, New
8	York, pursuant to agreement before SILVIA P.
9	WAGE, a Certified Shorthand Reporter, Certified
10	Realtime Reporter, Registered Professional
11	Reporter, and Notary Public for the States of New
12	Jersey, New York and Pennsylvania.
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	Page 21
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	Q. And then, finally, Topic 40, all harm
3	to Nike stemming from Nike's causes of action in
4	this case.
5	Are you prepared to testify on behalf
6	of Nike on that topic today?
7	A. Yes.
8	Q.
15	Q. And my understanding is you're
16	currently employed at Nike, correct?
17	A. Correct.
18	Q. And what is your position?
19	A. I'm the Vice President for global
20	brand protection and digital IP enforcement and I
21	lead the global brand protection team.
22	Q. Where are you based?
23	A. I'm based in Italy.
24	Q. How long have you been in that
25	current position?

	Page 22
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	A. Six years.
3	Q. And how long have you been at Nike?
4	A. Since 2005.
5	Q. Okay. And so why don't you give me a
6	bit of your background at Nike.
7	What other positions have you held
8	there?
9	A. Yeah. So I started in 2005 in Nike
10	Italy as brand protection adviser.
11	(Stenographer clarification.)
12	A. Nike Italy as brand protection
13	advisor.
14	After five years I moved to our
15	European headquarters based in the Netherlands as
16	a brand protection associate Counsel.
17	And after four years, I got promoted
18	to digital IP digital brand protection and was
19	leading the global digital effort.
20	And after that I was promoted to
21	in 2016 to global brand protection senior
22	director first and then last year to Vice
23	President global brand protection and digital IP
24	enforcement.
25	Q. Got it. Thank you.

	Page 25
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	Q. And as lead of global brands
3	projection, are you head of brand protection?
4	A. Correct.
5	Q. And how many people report to you?
6	A.
11	Q.
14	Q. So how many direct reports do you have?
15 16	
10	A.

	Page 26
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	And
3	then Joe Pallett who is
4	THE STENOGRAPHER: I'm sorry. You're
5	a little fast
6	THE WITNESS: Sorry. I can go
7	slower.
8	THE STENOGRAPHER: and I'm not
9	familiar with your accent.
10	THE WITNESS: You are right.
11	THE STENOGRAPHER: I'm so sorry.
12	THE WITNESS: You are right.
13	MS. BANNIGAN: Just tell us what you
14	need until and so we get it right.
15	THE STENOGRAPHER: Well, it's
16	recorded; but resources reporting to me,
17	dedicated to?
18	A.



	Page 30
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	A. No.
3	Q. Do you understand what I mean by
4	A. Yeah.
5	Q "committee," "working group,"
6	"task force"?
7	A. Yeah.
8	Q. None that you can think of?
9	A. No.
10	Q. So what's the purpose of fighting
11	counterfeits at Nike?
12	A. First of all, it's to protect the
13	authenticity of the connection Nike has with its
14	own consumers. We our team, entire team,
15	engages with law enforcement all around the world
16	in order to provide the support when it comes to
17	detentions or detection or seizures of
18	counterfeit products sold or imported or also
19	appearing online.
20	Q. When you say, "it's to protect the
21	authenticity of the connection Nike has with its
22	own consumers," what do you mean by that,
23	specifically?
24	A. Making sure that we clean the
25	marketplace as much as possible from counterfeit

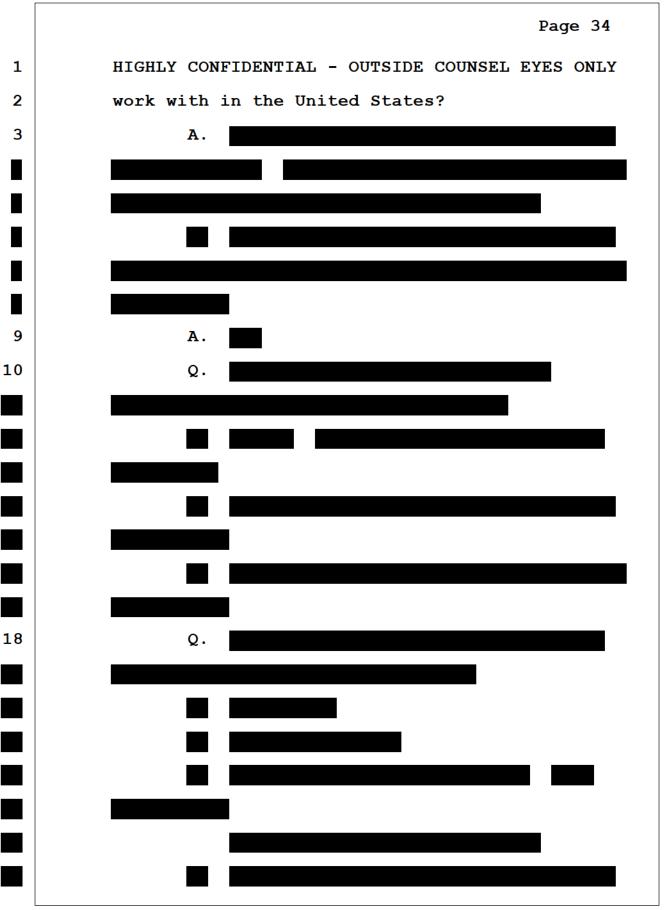
HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
Page 31
HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
in order to have consumers facing counterfeit is
less as possible in the marketplace.
Q. Why is that important?
A. It's important because counterfeit
misleads consumers because counterfeit is not a
product that Nike manufactures because it's
something that it's a crime that is pursued ex
official almost everywhere and we support that
kid of enforcement.
Q. Do counterfeits harm Nike's brand?
A. Definitely.
Q. How?
A. From many ways. Counterfeit can be
of bad quality, so harming health and the
consumer itself. It harms our business because
think of a person who want to buy a pair of shoes
for his son or daughter. Think of a mom buying a
pair of Nike shoes spending a lot of money
because counterfeit can be found at a very high
price and then being misled and thinking that
that's a Nike product. So that's a harm to our
image. And it's also a financial harm because,

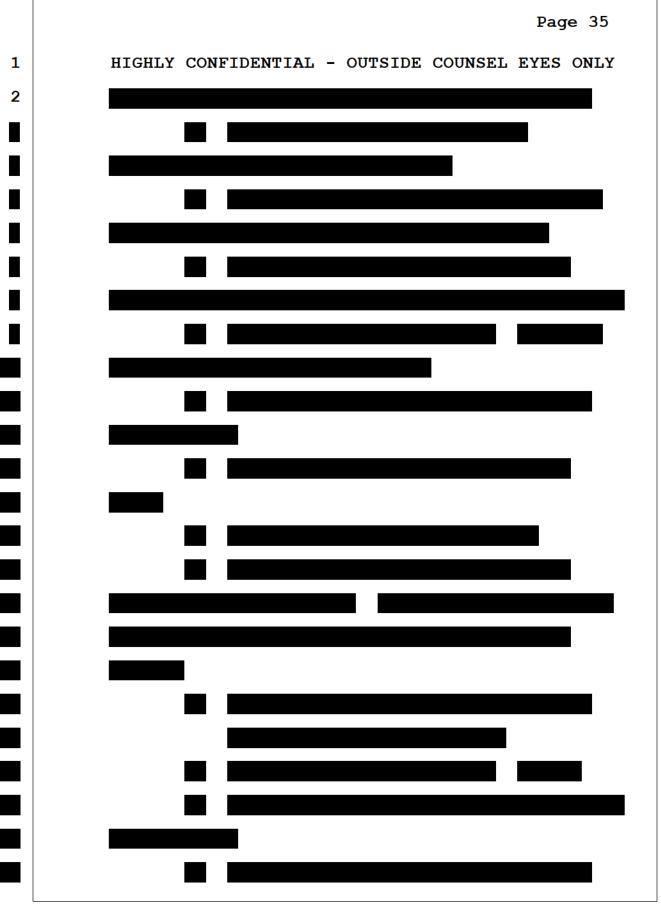
obviously, that's a sale that gets away from

Nike.

	Page 32
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	Q. For the example about the mom being
3	misled, how does that harm Nike, specifically?
4	A. Someone who buys a product convinced
5	to be buying a counterfeit and then finding out
6	later on that it's a counterfeit product
7	believing that the source of that poor quality
8	product, for example, is coming from Nike is
9	definitely harmful to our brand.
10	Q. I see.
11	So it's harmful to your brand if they
12	don't find out the source because they might
13	think that the Nike product is low quality?
14	A. Yeah. It can also be a harmful
15	product based on the (INAUDIBLE.) It'S going to
16	create a damage to the person who uses such
17	product.
18	Q. And when you say, there's financial
19	harm to Nike from counterfeits, what do you mean
20	by that, specifically?
21	A. So there are certain sales of
22	counterfeit that take away sales from Nike,
23	obviously. And on top of that, you know, the
24	damage that counterfeit create to our brand has
25	also financially impact.

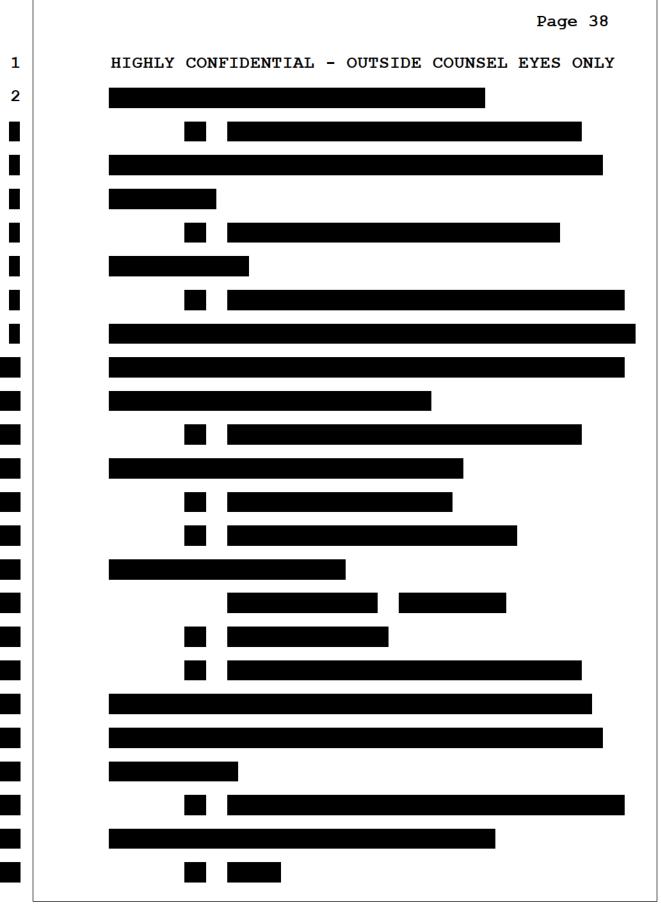
	Page 33
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	Q. So financial harm, does that assume
3	that the person who purchased the counterfeits
4	could have purchased the shoes from Nike
5	directly?
6	A. Yeah.
7	MS. DUVDEVANI: Objection.
8	Q.
12	MS. DUVDEVANI: Objection.
13	A.
25	Q. What private investigators do you





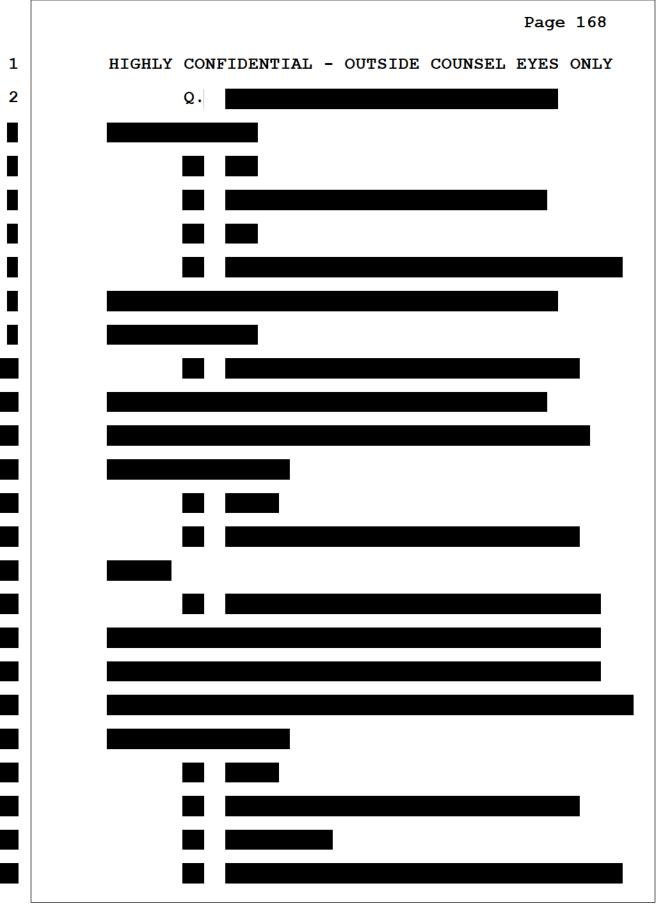
	Page 36
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
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11	Q. Who is the head of the gray market
12	team?
13	A. Chira Pizzol.
14	Q. And do you have an understanding of
15	what a gray market good is?
16	A. Yeah.
17	Q. What is it?
18	A. It's a product that has been sold
19	outside the Nike network.
20	Q. Does that mean a product produced or
21	manufactured by Nike that's been sold outside of
22	its authorized distribution?
23	A. Yeah.
24	Q.

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	Page 149
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	A. No.
3	Q. Okay. Are there certain deviations
4	or issues that are within normal quality control
5	bounds that might come up but they don't signify
6	a counterfeit product?
7	MS. DUVDEVANI: Objection.
8	A. So our products go through quality
9	controls. And if they have defect, they are
10	qualified as such. But those are genuine
11	products.
12	Q. Okay.

	Page 167
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	Q. Okay. What exactly were they looking
3	for from you?
4	A.
6	Q. Where or in what context?
7	A.



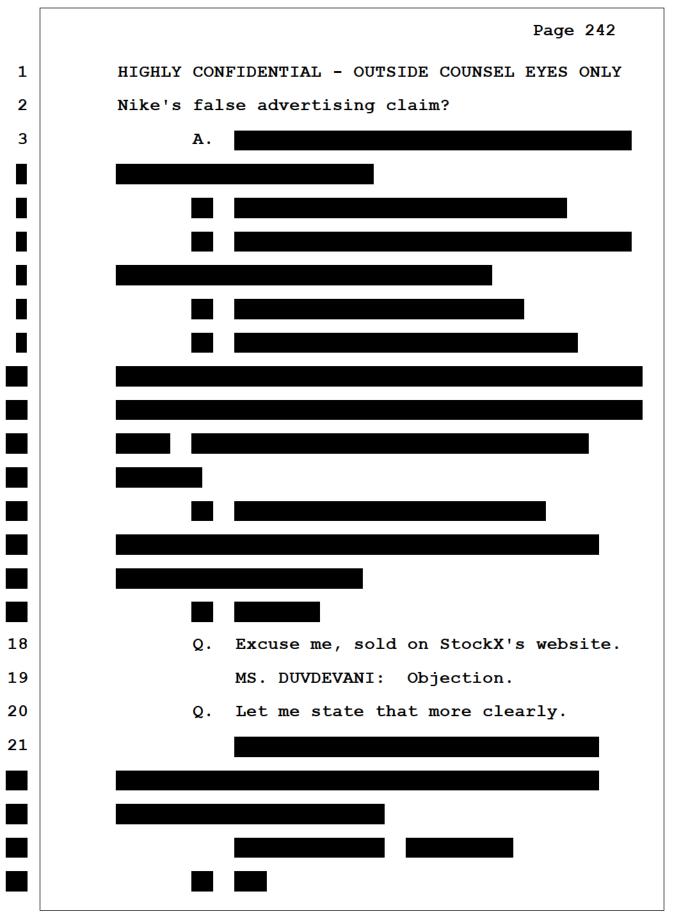
	Page 195
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	manager who has been supporting the entire
3	function with authentication as well.
4	Q. What is her day-to-day role?
5	A. She works under Joe Pallett in
6	authentication and innovation as well. She's
7	based out of our European headquarters, just to
8	clarify.
9	Q. And where is that based?
10	A. In the Netherlands.
11	Q. That's right. You said that. Thank
12	you.
13	So, if you look at the first page of
14	this spreadsheet.
15	A. The page, not the cover you are
16	referring to, right? There was a cover here.
17	Q. Yes, yes, I'm looking at the first
18	page of the
19	A. Okay.
20	Q. The first page of the actual
21	spreadsheet.
22	A. Of the file, okay.
23	Q. Towards the bottom it looks like
24	

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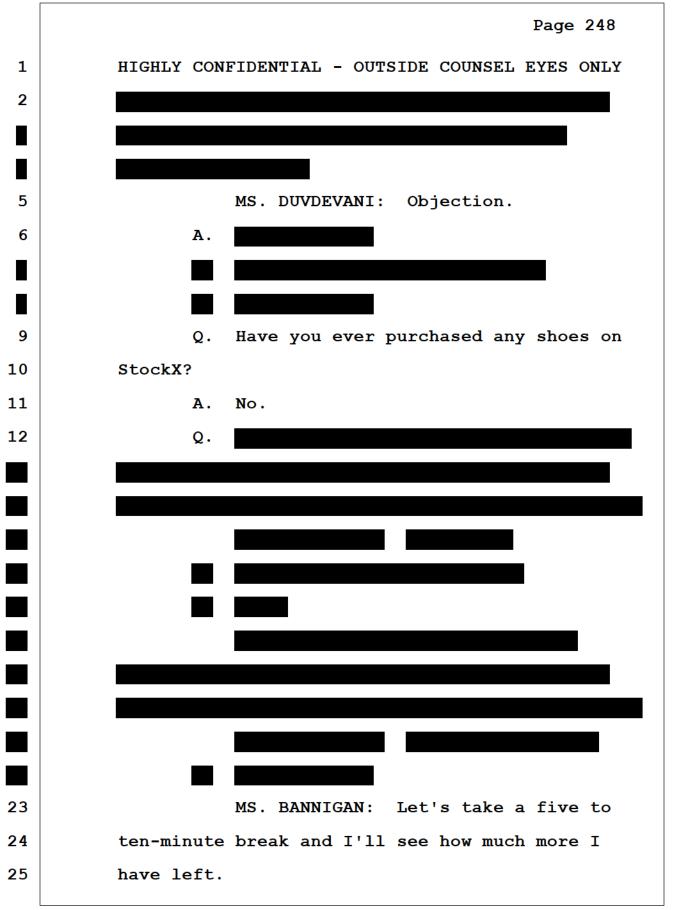
	Page 239
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	Q. Why?
3	A. Because our legal department asserted
4	they must be infringing.
5	(There is a discussion off the
6	record.)
7	Q. Okay. Are you familiar with the
8	counterfeiting cause of action in this
9	litigation?
10	A. Yeah.
11	Q. Has Nike been harmed by the alleged
12	counterfeiting?
13	A. Yes.
14	Q. How?
15	A.
24	Q. How, specifically, has Nike's image
25	been harmed by the sale of the alleged

	Page 240
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	counterfeits on StockX's website?
3	MS. DUVDEVANI: Objection.
4	A. Nike is always harmed by the sale of
5	counterfeit products.
6	Q. Can you give me anymore detail?
7	MS. DUVDEVANI: Objection.
8	A. I believe I've answered to this
9	question already several times. So Nike gets
10	harmed by counterfeit being sold in the
11	marketplace because consumers would believe that
12	those are genuine while they could be harming
13	consumers along with taking away sales from Nike
14	as well.
15	Q.
19	MS. DUVDEVANI: Objection.
20	A.
24	MS. DUVDEVANI: Objection.
25	A.

	Page 241
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	
3	Q. What do you mean by that? How would
4	you quantify it?
5	A. Based on the number that is sold you
6	will quantify how much damage has been done to
7	Nike.
8	Q. So do you have a figure
9	A. On top of the financial and the image
10	damage to the brand, reputation damage as well
11	will add up, in my view.
12	Q. Okay. So but what I want to try
13	to understand right now is the financial damage.
14	
17	MS. DUVDEVANI: Objection.
18	A.
25	What is the alleged harm to Nike from



	Page 247
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	conduct or existence?
3	MS. DUVDEVANI: Objection.
4	A. Can you repeat the question please?
5	Q. Sure.
6	
11	Q. Not that you're aware of?
12	A. I don't know.
13	Q. Who would know?
14	A. I guess the business team.
15	Q. Who?
16	A. People who looks after the digital
17	sales.
18	Q. Who, who would that be?
19	A. I don't know on the top of my mind.
20	Q.



	Page 261
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	A. To those IP infringements, I rely on
3	the lawyers here who made the determination, as I
4	haven't. I believe I've said that before.
5	Q. Okay.
9	Q. Okay. Now, going back to the
10	counterfeiting and the false advertising claims.
11	I think you mentioned two categories,
12	reputational harm and financial harm, correct?
13	A. Correct.
14	Q.

	Page 262
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
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3	MS. DUVDEVANI: Objection.
4	A.
14	Q. Okay.
17	MS. DUVDEVANI: Objection.
18	A. Repeat the question please.
19	Q. Okay.
22	MS. DUVDEVANI: Objection.
23	A.
_	

Page 263
HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
Q. Okay. So your answer is the same as
before, correct?
A. Yeah.
Q.
MS. DUVDEVANI: Objection.
A. The sale of counterfeit always harm
Nike. I believe I've said this several times.
Q.
MS. DUVDEVANI: Objection.
A.

	Page 264
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
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7	MS. DUVDEVANI: Objection.
8	Α.
10	O If a human numahagas a sauntanfait
10 11	Q. If a buyer purchases a counterfeit shoe from StockX's website and believes that it's
12	an authentic Nike shoe, does that harm Nike?
13	MS. DUVDEVANI: Objection.
14	A. Yes, it does.
15	Q. <b>.</b>
21	MS. DUVDEVANI: Objection.
22	THE WITNESS: Sorry.
23	Q. Is that correct?
24	A. Also, correct.
25	Q.

	Page 265
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	
3	MS. DUVDEVANI: Objection.
4	Q.
13	Q. Okay.
14	(Stenographer clarification.)
15	A
16	Q. How are you measuring the harm to
17	Nike based on the false advertising?
18	MS. DUVDEVANI: Objection.
19	A. I will defer to our lawyers'
20	determination on that.
21	Q. Okay. Does Nike believe that
22	StockX's advertising claims increase the number
23	of transactions on StockX's website?
24	MS. DUVDEVANI: Objection.
25	A. Please repeat the question. I didn't

	Page 270
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	Q. You're aware that StockX has made
3	that claim?
4	A. Yeah.
5	Q. How has Nike been harmed by StockX's
6	advertising "100 percent verified authentic"?
7	MS. DUVDEVANI: Objection.
8	A.
15	Q. Okay.
2.0	MC DIMPENANT - Obit
20	MS. DUVDEVANI: Objection.
21	A. I will defer to what the Counsels
22	have brought forward with the complaint.
23	Q. So, as you sit here today,

	Page 271
1	HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL EYES ONLY
2	
3	MS. DUVDEVANI: Objection.
4	A.
5	MS. BANNIGAN: Okay. Let's take five
6	minutes. I might be done.
7	MS. DUVDEVANI: Okay.
8	THE VIDEOGRAPHER: The time is
9	4:50 p.m. and we're going off the record.
10	(Recess taken 4:52 to 4:59 p.m.)
11	THE VIDEOGRAPHER: The time is
12	4:58 p.m. and we're back on the record.
13	MS. BANNIGAN: I have no further
14	questions.
15	We do object to the witness's
16	preparation for several of the 30(b)(6) topics,
17	which we can discuss going forward.
18	Is there any redirect?
19	MS. DUVDEVANI: There is redirect.
20	EXAMINATION BY MS. DUVDEVANI:
21	Q. Okay. If we can go back to, I think,
22	it's Exhibit No. 1.
23	MS. BANNIGAN: The 30(b)(6) notice?
24	MS. DUVDEVANI: Yes.
25	A. Alright.